

LSK&D #: 104-7703 / 1070528

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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YEVGENIY DIKLER,

Plaintiff,

-against-

THE CITY OF NEW YORK, DETECTIVE
MICHAEL VISCONTI shield #06482,
SECURITY OFFICER WILSON VEGA, HWA
INC.,

Defendant.
-----X

Docket No.: 07 CIV 5984

NOTICE OF MOTION

Hon. Paul A. Crotty

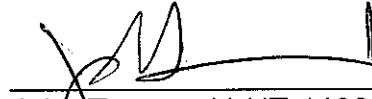
S I R S :

PLEASE TAKE NOTICE, that upon the affirmation of John Tarnowski dated August 27, 2008, the annexed Memorandum of Law with Rule 56 Statement and the exhibits annexed hereto and all prior pleadings and proceedings, the defendants SECURITY OFFICER WILSON VEGA, and HWA INC. named in the above-mentioned action will move this Court before the Honorable Paul A. Crotty at the United States Courthouse at 500 Pearl Street, New York, New York 10007, at a date and time to be scheduled by this Court, for an Order dismissing the Verified Complaint and awarding summary judgment in favor of Defendants pursuant to Fed. R. Civ. P. 56 and seeking sanctions upon plaintiff's counsel pursuant to Rule 11.

Dated: New York, New York
August 27, 2008

Respectfully submitted,

LESTER SCHWAB KATZ & DWYER, LLP

A handwritten signature in black ink, appearing to read 'John Tarnowski', is written over a horizontal line.

John Tarnowski (JT-1138)
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